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Kilcoyne

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1615

Michael J. Waring et al

Examiner: I. Ghali

APPLICATION NO: 09/341,821

FILED: September 1, 1999

FOR: MULTI-DOSE WOUND GEL

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE

Sir:

In response to the Official Action mailed in this application on November 29, 2002, applicants submit the following remarks.

Remarks

These remarks are being submitted in response to the Official Action mailed in this application on November 29, 2002. Claims 1-6, 8-10, 13-15 and 17-20 are pending in this application. Reconsideration of this application is respectfully requested.

Claims 1-6, 8, 10, 13, 14 and 20 were rejected under 35 USC §103 as being unpatentable over EP 560 014 ('014) in view of EP 666 081 ('081). Applicants respectfully traverse this rejection.

Once again, applicants submit that there appears to be a basic misunderstanding of the invention. The invention is not simply substituting one *liquid* in an aerosol device for another. The composition claimed in the present invention is in gel form while stored in the aerosol container, and it remains in gel form when contacted with a wound surface. The composition in the '014 document, however, is in *liquid* form in the container, and coagulates or solidifies to form a "film" on

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